

## WITNESS BEE POOL TO RECENT YEARS

Government Produces Documents to Show Packers' Continuance of Illegal Combine.

### MR. ARMOUR IS NAMED

Witness Identifies J. Ogden's Signature on Letter Aent Shipments and "Profit Margins."

CHICAGO, Ill., Friday.—Documentary evidence was produced to-day in support of the government's charge that the practices of the old packers' pool in fixing the price of fresh meat by a system of profit margins and apportionment of business on a non-competitive basis were continued after the organization of the National Packing Company, in March, 1903. The evidence was read to the jury in the trial of the ten Chicago packers under indictment for criminal conspiracy in restraint of trade.

The government brought the operations of the alleged illegal combination down to within seven months of the period covered by the indictment.

**Armour Employee Testifies.**

The information was furnished by Jerome H. Pratt, an employee of Armour & Co. for more than twenty years. He testified to having attended meetings of the old pool between 1896 and 1902, at which he said percentages of shipments were decided by ballot and the profit of margin was determined by agreement among the members. He identified a dozen letters he received while in the employment of Armour & Co. which supported his statements. Three of the letters bore notations in pencil of the shipment percentages and profit margins in the handwriting of J. Ogden Armour, Arthur Meeker and Thomas J. Conner, of the Armour Company, according to the witness.

He positively identified the handwriting of Mr. Meeker and said he was almost certain the other memoranda were written by Mr. Armour and Mr. Conner.

Mr. Pratt was on the stand when court adjourned and will continue to-morrow.

**Overshipment Penalties.**

The first document introduced by the government was a copy of a resolution passed May 4, 1900, fixing a penalty of one cent on one-half cent on all over shipments to competitive points made in excess of sixteen thousand pounds a week above the maximum allowed.

The next was a list of shipment percentages agreed upon by the packers January 13, 1901, for territories A, C, D and E.

Mr. Pratt identified a letter dated October 18, 1901, addressed to J. Ogden Armour, which read:

"I attach herewith margin memorandum for the week. We shipped 92½ per cent to Armour & Co. houses and 51 per cent to Armour Packing Company. To-day's margin will follow."

Testimony that the letter was referred to him the following day with figures of percentage margins for other firms in the combination, which he believed were written by J. Ogden Armour.

"Witnesses introduced next—

"WILKESHAIRE, Pa., July 7, 1906.

"Messrs. Armour & Co., Chicago.

"GENTLEMEN:—Do you know that Hammond has been shipping seventy-five to eighty cattle per week to his consignee at Wilkeshaire for the past three weeks?"

"Yes, truly," H. SCHAPIERS.

The other was in reply to this communication and was from Arthur Meeker, addressed to L. B. Patterson, manager of the Wilkeshaire Packing Company. It was dated July 25, 1906, and read:

"Dear Sir:—What are you trying to do at this market? Yours truly,

"ARTHUR MECKER."

Written across the top of this letter in pencil was the note:

"Mr. Meeker—Seventy-one cattle most we have shipped there; average is 32,000 pounds in ten weeks. About as high as we can go."

**Organization of National Company.**

The articles of incorporation of the National Packing Company, which the government introduced as evidence, were read by the defendants to continue the operations of the alleged old pools, were read to the jury, together with the official minutes of the first meeting of the incorporators, held March 13, 1903, in Jersey City.

Arthur Colby, a director, assistant secretary and assistant treasurer of the National Packing Company, was called to the stand to testify to the introduction of the National Packing Company from March 27, 1903, to June 8, 1909, after they had been identified by Mrs. Colby.

Counsel for the defendants objected to the introduction of this evidence, and the jury was excused while the attorneys argued the question.

Ralph Crews, representing Edward Tilden, argued that the books of a corporation could not be used in the prosecution of one of its officers unless it was shown the officer had knowledge of their contents. He cited federal court decisions in support of his contention.

**SALARY ATTACHED FOR CLUB DUES**

Larchmont Yacht Club Will Collect Ten Per Cent of G. J. Cooke's Salary by Court Order.

The Larchmont Yacht Club obtained an order from Justice Giegarich in the Supreme Court yesterday directing the Metropolitan Printing Company to pay the club ten per cent of the salary of George J. Cooke, one of the officers of the company and a member of the yacht club.

Mr. Cooke's salary is said to be \$6,000 a year. The order directs the company specifically to pay over \$11.00 each week until \$24.44 has been paid. This sum, the yacht club asserts, represents two years of unpaid dues.

The officers of the club insist that Mr. Cooke is still a member, although he declared that he had not been a member for two years. In November the governors, through Marcel Levy, of No. 55 Liberty street, brought suit in the Fifth District Municipal Court to recover two years' back dues from Mr. Cooke. The suit was not defended and the club obtained a judgment for \$22.44. The judgment was returned unsatisfied, and yesterday the club obtained the garnishee order from Justice Giegarich.

Mr. Cooke said yesterday that he had resigned from the club two years ago, but that apparently his resignation was overlooked.

"I will not pay the bill," he said. "I had been given to understand that the whole matter was to be settled by the governors looking up and accepting my resignation of two years ago as if it had been accepted on that date. I have not been near the club in two years."

## Inspector Steers Celebrates His Eightieth Birthday To-Day

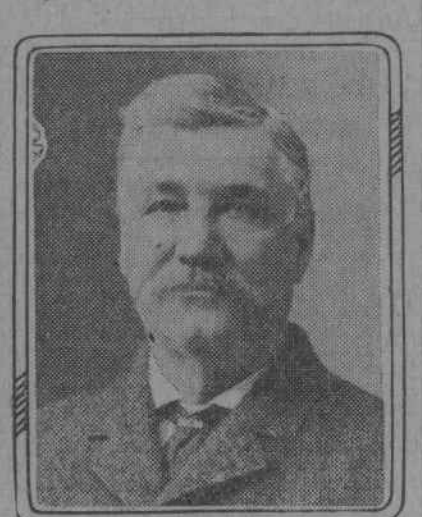
Retired Police Officer, Though Blind, Is Still an Active Citizen—Reception To Be Given to Him at the Home of His Daughter This Evening.

Henry Van Wart Steers, formerly Chief Inspector of the Police Department, to-day celebrates his eightieth birthday, and this afternoon and evening a reception will be held in his honor at the home of his daughter, Mrs. Charles H. Holland, No. 473 West 152d street, with whom he lives.

Mr. Steers spent thirty-six years in the service of the Police Department. He was born in this city and his father, Henry Steers, was a police captain. Mr. Steers became a policeman in 1857. During his first two years of service he distinguished himself by saving seven lives and was promoted to roundsman. In 1874 he was made captain, was promoted to Inspector in 1885 and was made chief inspector by Superintendent Byrne in 1891. Mr. Steers retired from the service with the rank of chief inspector in October, 1899, on a pension of \$2,000 a year.

Since his retirement he was engaged in real estate operations in the Washington Heights district, but in June, 1909, he became blind and had to give up business. Since that time he has been forced to spend much of his time in illness. He firmly believes his sight will be restored to him.

Mr. Steers was a constant reader of the Herald for fifty years, and although now he cannot see to read the newspaper, he receives his copy regularly every morning.



HENRY VAN WART STEERS

His daughter reads the news to him and he is well versed in all matters of public interest.

## INSISTS ON TRIAL OF MR. HYDE HERE

COAL TO COST CITY \$1 MORE THIS YEAR

District Attorney Opposes Motion for Change of Venue—May Be Decided Monday.

Dealers Fear Strike and Penalties, and Increase the Price Per Ton.

Whether Charles Hyde, formerly city chamberlain, will be tried in New York county or in another county probably will be decided on Monday by Supreme Court Justice Lehman, according to the information he gave yesterday to John B. Stanchfield, of counsel for Mr. Hyde, and District Attorney Whitman, after the two attorneys had argued for two hours before him on a motion for a change of venue.

The motion was made in Mr. Hyde's behalf on the ground, his attorneys assert, that he cannot obtain a fair and impartial trial in this county because the newspapers have prejudiced the public against him.

The courtroom was crowded when Mr. Stanchfield began his argument. First he pictured Mr. Hyde "pure and untrammeled" before the grand jury, and then he argued that the grand jury was a body of laymen who had no right to be burdened with the burden of public cases with "their attendant sweeping vituperation." The attorney traced Mr. Hyde's career from the time the public prints first referred unfavorably to the chamberlain, in the latter part of 1909, when the race track bribery scandal received large notice.

Mr. Stanchfield referred to the Senator Gardner bribery trial, to which Mr. Hyde was called as a witness. He said Mr. Hyde was said to have been the disburser agent by inference to the pleasant cruise of the "Stop-A-While" to the controversy with Controller Prudden; to the failure of the Northern Bank and the Carnegie Trust Companies, and to the Robin Reimann and Cummins trials.

"In every one of these affairs the name of Hyde has been featured and blackened," he said. "He has been depicted and caricatured as guilty. And since the people of this city scatter their own information from the newspapers, they must believe him guilty. You, your honor, have known the vituperation of public office. You must understand."

District Attorney Whitman "pooled" the idea that, out of a special panel of 2,800 takers, twelve fair minded men could not be found in this county to give Mr. Hyde a fair trial. He referred to the affidavits obtained by Israel Tilden, Jr., and finished by mentioning the cases of Senator Gardner and the proprietors of the Triangle Waist Company, whose cases had been discussed widely in the newspapers, and who had been found not guilty.

**THREE CHINESE ARRESTED.**

Entered This County Without Permission, Is Charged.

Charged with being in the United States without the official permission of the Bureau of Immigration, a Chinese who gave his name as Ju Toy was arrested at No. 26 Mott street yesterday afternoon by Deputy Inspector of Immigration Wiley. Ju Toy has been in the United States for some years and until yesterday no one supposed he was not a legal resident.

When Inspector Wiley went to Toy's address to make the arrest he found two other Chinese with him. Neither of these men had any papers and they were arrested also.

**MR. VANDERDEE ARRAIGNED.**

Percy G. Vanderde, formerly treasurer of the Van Keuren & Thornton Company, was arraigned yesterday in the Court of General Sessions to plead to an indictment charging grand larceny. He is charged with having taken more than \$10,000 from the Van Keuren & Thornton Company. He entered a plea of not guilty. Terence J. McManus, his counsel, said: "I will ask for ten days in which to withdraw the plea. My client is doing everything in his power to make restitution."

**Tried to Sell Girl for Phonograph**

Olive Importer Convicted on "White Slave" Charge—Victim Found Starving.

Archangelo Pironelli, an importer of olives, who gave his address as Kingsbridge road, the Bronx, was convicted yesterday before Judge Mulqueen, in the Court of General Sessions, on a charge of violating section 2,600 of the Penal Law. The complainant was Kate Carlton, sixteen years old, who alleges that he sold her into a life of "white slavery."

The convicted man was remanded to the Tombs Prison for sentence next week. The maximum penalty which he can receive is twenty years in Sing Sing and a fine of \$5,000.

T. Channon Press, Assistant District Attorney, who aided the Grand Jury, which John D. Rockefeller, Jr. was foreman, to investigate the "white slave" traffic, said yesterday that the case of the

## PLANS INVADE GERMANY BY AIR

Hugh Robinson, Going Abroad, Arranges with Hamburg-American Line for Flight from Steamship.

If carefully prepared plans do not miscarry either Hugh Robinson or Eugene Godet, the Curtiss aviators, will fly from the afterdeck of the America, of the Hamburg-American line, and alight in a park in Hamburg, Germany, when the vessel reaches that port on her voyage, which begins to-day. Everything has been arranged with the steamship officials to rig the hydro-aeroplane on the deck when the America is within a mile or so from her pier. If necessary, the steamship will be halted and swung around, under the direction of the aviator, to obtain the proper headwind.

What the residents of Hamburg will think on seeing a passenger leave a steamship in this unusual manner remains to be learned. What the customs officials will do remains to be seen. Every one interested in the enterprise agrees that it will be the first time that the customs have been successfully eluded, and that matters were "carried over their heads."

Jerome Fancillu, the vice president and general manager of the Curtiss Exhibition Company, will be a passenger aboard the America. He will take with him another hydro-aeroplane to be delivered to Louis Paulhan, the French aviator, in Sartrouville. The machine will be demonstrated in Paris and vicinity by Hugh Robinson before its delivery.

The trio will travel over the Continent giving exhibitions. They will first go to Germany, then to Italy and Russia, where the Curtiss hydro-aeroplane sold to the Russian Aerial League will be demonstrated. This demonstration will be made at Sebastopol on the Black Sea.

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**CONNECTICUT MEN WILL DINE AND FLY**

Mr. Collier's Machine Will Be Ready, While Wilbur Wright and Others Encourage Them.

[SPECIAL DESPATCH TO THE HERALD.]

NEW HAVEN, Conn., Friday.—Several speakers of prominence will be present at the annual banquet of the Aero Club of Connecticut, to be held at the Hotel Taft next Thursday evening. Among them will be Wilbur Wright, the inventor; Governor Simon E. Baldwin, who drafted the first law for the shipyard, and Finley Peter Dunne, the author. From the Aero Club of America a delegation of speakers will include Robert J. Collier, president; Henry A. Wise Wood, vice president; W. Irving Twombly and Major Samuel Robert U. S. A. Hiram Percy Maxim also will be a speaker.

Mr. Collier has put at the service of the club, with a licensed pilot, for Thursday, Friday and Saturday of next week a Wright biplane, and the members of the club will be allowed to make flights as passengers. The flights will be made from the polo field of the New Haven Country Club.

A. Holland Forbes, of Fairfield, is president of the Aero Club of Connecticut, and will act as toastmaster.

**NAME SHOW COMMITTEES.**

The committee named by the Aero Club of America recently to plan an aeronautical show to be held in this city in May next got together yesterday at a luncheon given for them at the club's home, No. 287 Madison avenue, by Robert J. Collier, president of the club. The aeronautical situation was discussed at length, and the prospects for the show were later declared to be very good. The work to be done was divided among sub-committees, with the following chairmen:

Historical, Charles M. Manly; Publicity, Alfred Reeves; Exhibits, Charles E. Spratt; Foreign, G. F. Campbell-Wood; Government, Major Samuel Robert, U. S. A.

Many dealers refuse to bid on city business because of the rigid specifications that govern the purchase of coal. To offset possibilities of penalties, which have in certain instances during the last year run as high as thirty-five per cent of the price agreed upon, they ask a higher price than that would of the individual, who buys coal without requiring that it produce a specified number of British thermal units.

**REFORMED MAN FALLS.**

After Checking Thefts from Express Company Private Detective Admits Larceny of Money.

Alfred Strauberg obtained a position two years ago with the Fuller Express Company by admitting that he had served three short terms in prison for minor offenses and declaring that he could save the company a lot of money by checking thefts of packages from its wagons.

When Strauberg was charged with the charge of failing to return \$315.55 which he had collected, an officer of the company testified that he had collected and turned many thousands of dollars for the company and had effectively stopped the stealing of packages from wagons.

Strauberg, who was arrested in Albany, pleaded that after collecting the \$315.55 he took a few drinks and then the money was missing. His client is doing everything in his power to make restitution.

**FIXED POST MEN KEEP IN TRAINING**

Policemen Are Athletes and Mystery of Their Antics Is Explained

by Martin Sheridan.

"I've received a lot of letters lately from people who want me to explain the curious antics of some of the patrolmen on fixed post," said Police Commissioner Waldo yesterday. He asked Martin Sheridan, champion all around athlete, who is attached to his office, what the men were doing. Sheridan explained that nearly every policeman is an athlete and knows the intricacies of the station, and that the men are kept in training by the police men to stand in one spot from eleven o'clock at night until seven in the morning, they have taken the opportunity to get as much training as possible.

For instance, "Matt" McGrath, who holds the world's record for hammer throwing, keeps his "wings" in order by throwing an imaginary hammer. Policeman Ergon R. Erickson, champion high jumper of the department, with a record of six feet, three and eight-tenths inches, practices standing jumps on his fixed post. Policeman John J. Eller, champion American hurdler, keeps in training in similar manner.

About four hundred men in the department were formerly in the United States Army; ten per cent of these were in the Signal Corps, and they have used their knowledge of signalling to wigwag their night sticks to the next stationery post policeman four blocks away. Commissioner Waldo said he saw no reason why the men should not keep in training if they wished.

**Mr. McAneny Honors Policeman**

George McAneny, Borough President of Manhattan, gave a luncheon yesterday at Haan's, in Park row, for Policeman T. J. Calahan, who for ten years was stationed at the Borough President's office, in City Hall, and who retired recently. Mr. Calahan served thirty years on the police force, and when transferred recently to the Duane street station asked for retirement.

## Three Drinks a Day the Limit to Keep Healthy

More Than That Means an Untimely Death from Liver Troubles and an Increase of the Death Rate, Says Register of the Health Department.

Increase in the death rate from certain diseases, such as cancer, cirrhosis of the liver and heart troubles, may be due largely to lack of exercise, overeating, overdrinking and the luxuries of the automobile. Such is the view of Dr. William H. Guilfof, Registrar of the Bureau of Vital Statistics of the Board of Health.

Although the general health of the metropolis is better than it ever has been, the figures with regard to the ailments named are regarded as significant. Substantial decreases in 1911 from the year 1910 in the number of deaths, as follows: Typhoid fever, 238; smallpox, 89; malarial fevers, 55; whooping cough, 235; diphtheria and croup, 378; influenza, 36; tuberculosis, (of the lungs, bronchitis, 1,940; pneumonia, 2,437; diarrhoeal diseases, under five years, 2,551; Bright's disease and nephritis, 1,643; and senility, 438. The increases are: Cancer, 280; heart diseases, 382; and cirrhosis, 46.

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Dr. Guilfof said that, although there had been much investigation as to causes of the malignant growth known as cancer, the medical profession was as yet in the dark as to its origin.

"There are some authorities who believe that the eating of too much meat has something to do with this disease," he continued. "There are some facts which indicate that there is reason for this belief. Be this it may, there are many persons in this city who eat entirely too much meat and take too little exercise. The working man who toils hard with his hands can eat meat three times a day, for his exertion burns up the surplus which he does not need."

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